

U.S. Department of Justice  
United States Marshals Service

# PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF UNITED STATES OF AMERICA	COURT CASE NUMBER CR 98-00039
DEFENDANT MARCO WILLIAM SELEPEO FITIAL	TYPE OF PROCESS SERVICE OF DEPO SUBPOENA
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Marco William Selepeo Fitial	
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)	

SERVE  
AT

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

United States Attorney's Office, Financial Litigation Unit  
Sirena Plaza, Suite 500  
108 Hernan Cortez Avenue  
Hagatna, Guam 96910

Number of process to be served with this Form 285	1
Number of parties to be served in this case	1
Check for service on U.S.A.	0 <b>FILED</b> Clerk

Fold

See attached for information purpose only. Not to be filed with the Court.

APR 11 2008

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

Signature of Attorney other Originator requesting service on behalf of Jessica F. Cruz, Assistant U.S. Attorney	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 671-472-7332	DATE 3/7/08
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I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. 003	District to Serve No. 005	Signature of Authorized USMS Deputy or Clerk <i>[Signature]</i>	Date 3/1/08
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above) * Genevieve Rahman	<input checked="" type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode
Address (complete only different than shown above) Dead end area of Lughal Place off of Beach Rd in Chalan Lualu Village of Saipan	Date 04/08/08 Time 1743 <input type="checkbox"/> am <input checked="" type="checkbox"/> pm
Signature of U.S. Marshal or Deputy	

Service Fee N/A	Total Mileage Charges including endeavors N/A	Forwarding Fee N/A	Total Charges N/A	Advance Deposits N/A	Amount owed to U.S. Marshal* or (Amount of Refund*) \$0.00
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REMARKS: \* Family / Relative Residing with him

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Issued by the  
**UNITED STATES DISTRICT COURT**

DISTRICT OF THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA

SUBPOENA

V.

MARCO WILLIAM SELEPEO FITIAL

Case Number: CR 98-00039

TO: Marco William Selepeo Fitial  
P.O. Box XXXXXX CK  
Saipan, MP 96950

YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION U.S. Attorney's Office, 3rd Floor Horiguchi Building, Garapan, MP	DATE AND TIME May 20, 2008 at 11:00 a.m.
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☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

SEE ATTACHED NOTICE OF INTENT TO TAKE ORAL DEPOSITION WITH SUBPOENA DUCES TECUM

PLACE	DATE AND TIME
YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.	
PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) <i>Jessica Cruz</i> Attorney for Plaintiff	DATE 3/7/08
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER JESSICA F. CRUZ, Assistant U.S. Attorney TEL: 671-472-7332 MIKEL W. SCHWAB, Assistant U.S. Attorney U.S. Attorney's Office, Sirena Plaza, Ste. 500, 108 Hernan Cortez Ave., Hagatna, GU 96910 <small>(See Rule 45, Federal Rules of Civil Procedure, Parts C &amp; D on next page)</small>	

1 If action is pending in district other than district of issuance, state district under case number.

ORIGINAL

1 **FITIAL\_M.dep**

2 LEONARDO M. RAPADAS  
United States Attorney  
3 JESSICA F. CRUZ  
Assistant U.S. Attorney  
4 MIKEL W. SCHWAB  
Assistant U.S. Attorney  
5 Sirena Plaza, Suite 500  
108 Hernan Cortez Avenue  
6 Hagåtña, Guam 96910-5059  
TEL: (671) 472-7332  
7 FAX: (671) 472-7334

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN MARIANA ISLANDS

10 UNITED STATES OF AMERICA, )  
11 )  
Plaintiff, )  
12 )  
vs. )  
13 )  
14 MARCO WILLIAM SELEPEO FITIAL, )  
Defendant. )  
15 )

CRIMINAL CASE NO. 98-00039

NOTICE OF INTENTION TO TAKE  
ORAL DEPOSITION WITH  
SUBPOENA DUCES TECUM

16 TO: Marco William Selepeo Fitial  
17 P.O. Box XXXXXX CK  
Saipan, MP 96950

18 Please take notice that the United States of America, the plaintiff and judgment creditor  
19 herein, will on May 20, 2008 take oral deposition of defendant, MARCO WILLIAM SELEPEO  
20 FITIAL, in the above styled and number case pursuant to Rules 30 and 69(a) of the Federal  
21 Rules of Civil Procedure and in aid of collecting its judgment.

22 Said deposition will take place at the offices of the United States Attorney, 3<sup>rd</sup> Floor,  
23 Horiguchi Building, Garapan, Saipan, MP at 11:00 a.m. on May 20, 2008 and will continue until  
24 completed. Said deposition will be taken before a Certified Court Reporter and will be taken  
25 upon oral examination for the purpose of discovery or as evidence or both pursuant to the  
26 Federal Rules of Civil Procedure.

27 //  
28

1 Notice is hereby further given that at this deposition defendant, MARCO WILLIAM  
2 SELEPEO FITIAL, is hereby required to produce all documents described in the accompanying  
3 Schedule A.

4 DATED, this 7<sup>th</sup> day of March, 2008.

5 LEONARDO M. RAPADAS  
6 United States Attorney  
7 Districts of Guam and the NMI

8 By: /s/ Jessica F. Cruz  
9 JESSICA F. CRUZ  
10 Assistant U.S. Attorney  
11 Jessica.F.Cruz@usdoj.gov  
12 MIKEL W. SCHWAB  
13 Assistant U.S. Attorney  
14 mikel.schwab@usdoj.gov  
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SCHEDULE A TO NOTICE OF INTENT TO TAKE  
ORAL DEPOSITION WITH SUBPOENA DUCES TECUM

1. Full and complete copies of your income tax returns for the past three (3) years filed by you or any business in which you owned an interest, or evidence of request to Department of Revenue and Taxation for filing of extension.
2. Earnings statements from your twelve (12) most recent pay checks.
3. Business records for the present year and past calendar or tax year which reflects assets, liabilities, contingent liabilities, gross receipts and expenses for any sole proprietorship, partnership or corporation in which you or your spouse owns any interest.
4. Current bank statements for the past twelve (12) months from all domestic and foreign banks or other financial institutions where any sole proprietorship, partnership or corporation in which you or your spouse owns any interest has an account of any kind.
5. Current bank statements for the past twelve (12) months from all domestic and foreign banks or other financial institutions where you or your spouse have an account of any kind.
6. All trust agreements in which you or your spouse are named settlor, trustee, or beneficiary.
7. All deeds, leases, contracts, and other documents evidencing encumbrances of any kind on real property owned by you or in which you or your spouse have any ownership interest.
8. All deeds of trusts, mortgages, or other documents evidencing encumbrances of any kind on real property owned by you or in which you or your spouse have any ownership interest.
9. A listing of all stock, bonds, or other securities of any class you own separately or jointly with others, including options to purchase any securities and the actual instruments if in your possession.
10. Current brokerage statements for the past twelve (12) months from any stock brokerage firm or similar entity where you or your spouse have an account of any kind.
11. Title to any motor vehicle owned by you or your spouse.
12. All life insurance policies in which you are either the insured or the beneficiary.
13. All promissory notes held by you, and all other documents evidencing any money owed to you either now or in the future.
14. All financial statements prepared by or for you in the last twelve (12) months and an updated verified Department of Justice financial statement (OBD 500) not more than sixty (60) days old (attached hereto).
15. All deeds, titles, bills of sale, or other documents prepared in connection with any transfer of real or personal property made with you, either by gift, sale, or otherwise in the last twelve (12) months.
16. A schedule of all regular expenses paid by you, such as installment debts, food, utilities, etc. Include the amount paid, the payee, and, if an installment debt, the amount of the debt owing and any security pledged.
17. All documents evidencing any interest you have in any pension plan, retirement fund, or profit sharing plan.
18. A certified copy of any divorce decree granted to you, plus a copy of any property settlement resulting from said divorce, including alimony and child support agreements or orders.

**Perez, Michelle (USAGU)**

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**From:** ecf-nmid@nmid.uscourts.gov  
**Sent:** Monday, March 10, 2008 3:57 PM  
**To:** ecf-nmid@nmid.uscourts.gov  
**Subject:** Activity in Case 1:98-cr-00039 United States of America v. Fitial Notice (Other)

**This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.**

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

**U.S. District Court**

**Northern Mariana Islands**

**Notice of Electronic Filing**

The following transaction was entered by Cruz, Jessica on 3/10/2008 at 3:57 PM GMT+10 and filed on 3/10/2008

**Case Name:** United States of America v. Fitial  
**Case Number:** 1:98-cr-39  
**Filer:** United States of America  
**Document Number:** 70

**Docket Text:**

**NOTICE of Intention to Take Oral Deposition with Subpoena Duces Tecum by United States of America as to Marco William Selepeo Fitial (Cruz, Jessica)**

**1:98-cr-39-1 Notice has been electronically mailed to:**

Jessica F. Cruz [Jessica.F.Cruz@usdoj.gov](mailto:Jessica.F.Cruz@usdoj.gov), [marie.chenery@usdoj.gov](mailto:marie.chenery@usdoj.gov), [Michelle.Perez@usdoj.gov](mailto:Michelle.Perez@usdoj.gov), [mikel.schwab@usdoj.gov](mailto:mikel.schwab@usdoj.gov), [usagu.docket@usdoj.gov](mailto:usagu.docket@usdoj.gov)

Marivic P. David [Marivic.David@usdoj.gov](mailto:Marivic.David@usdoj.gov), [Michelle.Perez@usdoj.gov](mailto:Michelle.Perez@usdoj.gov)

**1:98-cr-39-1 Notice will be delivered by other means to:**

Vinode Kumar Sawhney  
P.O. Box 7250 SVRB  
Saipan, MP 96950

David T Wood  
Horiguchi Bldg, 3rd Floor  
P.O. Box 50377  
Saipan, MP 96950

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1107461626 [Date=3/10/2008] [FileNumber=29076-0]

[2a9b25012ac1ffd1195e2fe8b11cb4b90aa5ef59c2d28dcfb6da0466315bdd2ef2c7c

f2cfee9ec2a00ca2eb639cad95b2018f32c3bbbb4163801ea0a1cd6f701]]